

USA v. Walker

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

JUN 01 2021

JAMES W. McCORMACK, CLERK
By: *[Signature]*

DEP CLERK

Dear : Honorable Judge Rudofski

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U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

2021 JUN 1 A 9:56 AM my Lee Walker BOP #

I, Tommy Lee Walker BOP # 32770-009 come before you and the Courts respectively, to make aware of a couple of issues that I have with my case. First I would like to ask you to grant me the opportunity to be appointed a appeal attorney. The reason being for my respectful request is because of the ineffective assistance that Ms. Sullivan provided me during my case. I'll start with the enhancements. A possession of firearm in the commission of another crime enhancement was applied to my sentence. The crime was a Aggravated Assault on a Household or family member. The charge was dismissed in Pulaski County Circuit Court, so I asked Ms Sullivan how was I being charged with an enhancement for a crime that never occurred and a crime that I wasn't found guilty of. She advised me that there was nothing she could do. Which is false because I was never adjudicated for the charge in no court system. So the enhancement should have not been applied. Your Honor, the other enhancement was a Obstruction of Justice. The proper qualif. cation for this enhancement is for any defendant who obstruct or impede

or attempt to obstruct and impede the administration of Justice during the investigation prosecution or sentencing in the case for which they are being prosecuted or during any relevant conduct for that case. Obstructive conduct that occurred prior to the start of the investigation may be covered by this enhancement if the conduct was purposefully calculated and likely to, thwart the investigation or prosecution of the offense of conviction. None of the conduct requirements under this enhancement apply to me. I didn't threaten, intimidate or unlawfully influence anyone directly or indirectly. The enhancements in which my sentence was increased without a Jury finding me guilty of beyond a reasonable doubt are unconstitutional. I made this known to Ms. Sullivan and she objected to address this issue in court. I initially was charged with a 922 G1 for Possession of a firearm. I advised my attorney that I wanted to go to trial because I never possessed a firearm, she insisted that I did not need to go. Right before my trial date in March of 2020 came, Ms. Sullivan came to see me in Putnam County Jail. She stated that herself and the Prosecutor John Ray White had come to an

agreement, to come before the Court and "say" they have reason to believe that the firearm in this case was stolen. Ms. Sullivan stated that all I would have to do is go along and say that I deal with stolen goods and I would get the plea deal. She stated that I would benefit better by pleading guilty to a 922 J instead of the 922 G. Only problem was that I knew the firearm wasn't stolen, just like they knew the same. The firearm in this case was sent to ATF database for ballistic scans on June 22nd of 2018 a day after I was arrested. The results came back in October of 2018. The gun was not reported stolen. Both Ms. Sullivan and prosecutor Mr. White disrespected and lied to the Honorable Court of Justice by saying that they have reason to believe that the firearm was stolen when there is evidence proving that it's not. My plea was not voluntary knowing intelligently and done with sufficient awareness of the relevant circumstances and likely consequences that I was actually facing. Ms. Sullivan didn't properly advise me of the benefits of the plea vs going to trial. On the collateral consequence of a guilty plea. Ms. Sullivan stated that I better not try to appeal or I would get more time.

Furthermore Your Honor, while fighting this case everything Ms. Sullivan told me I believed was righteous. Now that I know Ms. Sullivan and John Ray White are the True suspects of obstructing and impeding the administration of Justice by lying purposefully to the Honorable Courts to obtain a conviction, I'm coming before you Honorable Judge Radofski and the Court asking to be appointed a lawyer so I will be able to effectively challenge my conviction and my sentence. Based on ineffective assistance of counsel from Molly Sullivan, the unconstitutional statute in which I was charged and the enhancements in which my sentence was increased without jury finding me guilty of these enhancements beyond a reasonable doubt.

Thank You for your time
And consideration.

Respectfully Signed by,

Sammy L. Walker
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FOREVER / USA



United States District Court

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United States Courthouse

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